

P24077.P15

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office,
Fax No. (571) 273-8300 on February 22, 2006.

Signature

William S. Boshnick, Reg. No. 44,550

Typed or printed name of person signing Certificate

RECEIVED
CENTRAL FAX CENTER
FEB 22 2006

GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Attorney Docket No. P24077

In re application of : Shinnosuke NAKAHARA et al.

Application No. : 10/642,684

Filed : August 19, 2003

For : INTERVERTEBRAL CAGE

Mail Stop Amendment
Group Art Unit : 3738

Examiner : Bruce SNOW

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop Amendment

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Sir:

Transmitted herewith is an **Amendment and Response under 37 C.F.R. 1.111** in the above-captioned application.

Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

A Request for Extension of Time.

☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims:	*	0	x25=	\$	x 50=	\$
Indep. Claims:	**	0	x100=	\$	x200=	\$
Multiple Dependent Claims Presented			+180=	\$	+360=	\$
Extension Fees for ___ Month(s)				\$		\$
Total:				\$	Total:	\$

* If less than 20, write 20

** If less than 3, write 3

Please charge my Deposit Account No. 19-0089 in the amount of \$_____.

N/A A check in the amount of \$_____ to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

William S. Boshnick
Reg. No. 44,550

Will Boshnick
Bruce H. Bernstein
Reg. No. 29,027

P24077.A09

RECEIVED
CENTRAL FAX CENTER

FEB 22 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shinnosuke NAKAHARA et al.


Group Art Unit: 3738

Appln. No. : 10/642,684

Examiner: Bruce SNOW

Filed : August 19, 2003

For : INTERVERTEBRAL CAGE

<p align="center">Certificate of Transmission under 37 C.F.R. § 1.8</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on <u>February 22, 2006</u>.</p> <p align="center"></p> <p>Signature</p> <p align="center">William S. Boshnick Reg. No. 44,550</p> <p>Typed or printed name of person signing Certificate</p>
--

AMENDMENT & RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In response to the Official Action dated November 22, 2005, setting a shortened three-month statutory period for response to expire on February 22, 2006, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections in view of the herein-contained remarks.

Amendments to the Specification begin on page 3 of this document.

P24077.A09

Amendments to the Claims are reflected in the listing of claims which begin on page 4 of this document.

Remarks/Arguments begin on page 7 of this document.